

Remarks

Applicants submit new claims 132-150 which are copied from child Continuation Application No. 10/671,645 which is being expressly abandoned concurrently herewith. A Request for Continued Examination ("RCE") was filed in the present application on October 27, 2004. New claims may be submitted in an application after filing of an RCE, except that an RCE cannot be filed for purposes of obtaining continued examination of claims regarded as independent and distinct from claims previously presented as a matter of right. MPEP §706.07(h). When child Continuation Application No. 10/671,645 was filed, it was expected that the present application (No. 09/862,636) would issue shortly after the filing of Continuation Application No. 10/671,645 on September 25, 2003.

However, delays in the issuance of the present application (due to additional Information Disclosure Statement filings and an erroneous abandoned status designation of the present application) have brought about complexities in the task of prosecuting both applications concurrently. For example, with child Continuation Application No. 10/671,645 continuing to undergo active prosecution prior to the issuance of the present application, there would be the prospect of continued delays in the issuance of the present application in order for the applicants to make of record in the present application developments in the prosecution of child Continuation Application No. 10/671,645. Further, certain claims of child Continuation Application No. 10/671,645 have been subject to double patenting rejections vis a vis the present application.

Accordingly, with the abandonment of child Continuation Application No. 10/671,645 and the consolidation of select claims from child Continuation Application No. 10/671,645 into the present application, applicants hope to simplify prosecution of the claimed subject matter and to eliminate certain double patenting rejections presented by the Examiner in child Continuation Application No. 10/671,645. While applicants have copied only certain select claims from Continuation Application No. 10/671,645 into the present application, their non-selection of certain claims should not be taken as an admission of unpatentability as to those unselected claims.

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Applicants expressly reserve the right to prosecute subject matter of claims cancelled from the present application and/or not copied from child Continuation Application No. 10/671,645 in the present application or in a related application (e.g., another child continuation application of the present application).

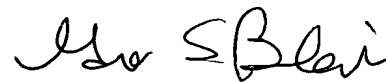
Accordingly, in view of the above amendments and remarks, applicants respectfully request entry of the claims presented herein and reconsideration and passage to allowance of the application.

If the Examiner believes that contact with applicants' attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call applicants' representative at the phone number listed below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to deposit Account No. 50-0289.

Respectfully submitted,

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